

ORDINANCE NO. _____

1 AN ORDINANCE AMENDING CHAPTER 15-6 OF THE CITY CODE
2 RELATING TO SOLID WASTE SERVICES.

3 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

4 PART 1. City Code Section 15-6-1 (*Definitions*) is amended to amend the
5 definition of “Private Solid Waste Collection Service” to read as follows:

6
7 (11) PRIVATE [~~SOLID WASTE~~] COLLECTION SERVICE means the
8 collection [business of collecting], removal [removing], or
9 transportation [transporting] of solid waste from any premises within
10 the City for a fee. An individual that removes or transports solid waste
11 in a vehicle with one ton or less carrying capacity and the solid waste
12 is generated from his residence is not a private solid waste collection
13 service.

14 PART 2. City Code Section 15-6-11(*Collection Service*) is amended to read as
15 follows:

16 § 15-6-11 COLLECTION SERVICE.

- 17 (A) Except as provided in Section 15-6-13(A), t[F]he department shall make
18 collection service available to all premises in the city.
- 19 (B) The department shall charge the fee prescribed by the city council for
20 service.
- 21 (C) Except as provided in Subsections 15-6-13(A) and (B), owners or occupants
22 of residential properties with three or fewer dwelling units must use City of
23 Austin collection service.
- 24 (D) An individual that removes or transports solid waste from his residence is
25 not entitled to credit on his account.
- 26 (E) Residential properties with four or more dwelling units or commercial
27 properties that do not use the City’s collection service must use a licensed
28 private collection service.
- 29

1 **PART 3.** City Code Section 15-6-41 (*Applicability*) is amended to read as follows:

2 **§15-6-41 APPLICABILITY.**

3 This article does not apply to:

- 4 (1) a City employee acting within the course and scope of the person's
5 duty as a City employee or an agent of the city;
- 6 (2) the operator of a vehicle owned by a governmental body and used to
7 transport the governmental body's solid waste;
- 8 (3) a slop or swill hauler who complies with Section 10-5-62 (*Permit*
9 *Required for Slop and Swill Hauler*); or
- 10 (4) vehicles hauling medical waste, liquid waste, or hazardous waste [a
11 private collection service that hauls refuse from single family
12 residences only].
- 13 (5) [~~vehicles hauling medical waste, liquid waste, or hazardous waste.~~]

14 **PART 4.** City Code Section 15-6-64 (*Decal*) is amended to read as follows:

15 **§15-6-54 DECAL.**

- 16 (A) The code compliance director shall issue a decal to a licensee for each refuse
17 collection vehicle [~~, each container included in the license,~~] and each
18 additional vehicle approved by the code compliance director under Section
19 15-6-42 (*Vehicles and Equipment*).
- 20 (B) A licensee shall display the vehicle decal, including temporary decals, on
21 both the driver and passenger side doors of the vehicle in a location that can
22 be seen by the public at all times.
- 23 (C) [~~A licensee shall display the container decal on the front face of every~~
24 ~~container described in the license.]~~

25 **PART 5.** City Code Section 15-6-56 (*License Fees*) is amended to read as follows:

26 **§15-6-56 LICENSE FEES.**

- 27 (A) The department shall charge a licensee an annual operation fee set by the
28 city council. The department shall calculate the fee based on the number of
29 vehicles used in the private collection service's operation. The department
30 shall prorate the fee charged for a vehicle that is added to the service's
31 operation during the calendar year.

- 1 (B) The department may not assess an additional fee for a vehicle that replaces a
 2 vehicle permitted during the same permit year.
- 3 (C) A licensee shall pay the annual vehicle operating fee on or before the last
 4 business day in January of each year.
- 5 (D) The department shall charge a licensee a container fee set by separate
 6 ordinance [~~the city council~~]. The department shall calculate the monthly fee
 7 based on the number of containers placed in service during any month in the
 8 calendar year [~~and the number of days a container is in service~~].
- 9 (E) A licensee shall pay the monthly container fee [~~quarterly. A licensee shall~~
 10 ~~pay the accrued container fee~~] not later than the 30th day after the end of the
 11 calendar quarter for which the fee is due.
- 12 (F) The City may charge an additional fee to be set annually by City Council if
 13 the licensee does not pay the vehicle or container fee on or before the date it
 14 is due. A late penalty will be based on the monthly [~~annual~~] container fee.
- 15 (G) Containers and vehicles that are exclusively utilized and labeled for the
 16 collection of recyclables [~~and have a blue recycling decal,~~] are exempt from
 17 license fees.

18

19 **PART 6.** This ordinance takes effect on _____, 2013.

20

21 **PASSED AND APPROVED**

22

23 _____, 2013

24 §
 25 §
 26 §

27 _____
 28 Lee Leffingwell
 29 Mayor

30 **APPROVED:** _____
 31 Karen M. Kennard
 32 City Attorney

30 **ATTEST:** _____
 31 Jannette S. Goodall
 32 City Clerk